

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

John P. Brown, et al.,)	
)	
Plaintiffs,)	C.A. No.: 2:00-3215-RBH
)	
vs.)	ORDER
)	
State of South Carolina, et al.,)	
)	
Defendants)	
)	
_____)	

This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge Robert S. Carr, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. See 28 U.S.C. § 636(b)(1).

Other than George E. Brown¹, the Plaintiffs listed hereinbelow filed no objections to the Report and Recommendation. In the absence of objections to the Report and Recommendation of the

¹ As discussed below, the action is not dismissed as to plaintiff, George E. Brown.

Magistrate Judge, this court is not required to give any explanation for adopting the recommendation.

See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

After a thorough review of the Report and Recommendation and the record in this case, the court adopts Magistrate Judge Carr's Report and Recommendation (except as to George E. Brown) and incorporates it herein. It is therefore

ORDERED that this action is dismissed as to the plaintiffs listed below. Plaintiff George E. Brown is not to be dismissed as a Plaintiff at this time due to the fact that he updated his current address with the court and also filed a document indicating that he wishes to continue to prosecute the case.[Docket entry #398, filed on December 18, 2007].

Billy M. Ackerman
James R. Adams
William H. Adams
Donnie Aiken
Robert Alston
Donald D. Anderson
Eddie L. Arnold
Scott Atkinson
Wayne Atkinson
James K. Austin
Bruce E. Bailey
Benjamin Bannister
Christopher Baskett
Willie W. Beasley
Bryan Bell
Michael Benbow
James Benge
Levan Bennett
Reggie Bennett
Tony Bennett
Kelvin Berry
Robert Bigelow
Billy Blackmon
Martin Bolick
George Bollin

Walter Brower
Carlos Brown
Keith Jerome Brown
Kevin Brown
Leonard A. Brown
Jason S. Bryan
Michael Buckman
Pervis Burger
Sandra Jean Byars
Tonya Byars
Michael Byer
Craig Calhoun
Tracey Cameron
Sheldon Cannon
Robert Edward Carrillo
Eugene Carter
Roderick Cherry
Marcellous Clark
Charles L. Clayton
Wayne Clegg
Harry Clemons
Gary L. Collier
Alex Cooper
Junie Cothran
Latee Crawford

Welton Booker
Roy Bowen
Clarence Bowie
Robbie Boykin
Chris Bradley
Marvin Bradley
Johnny Ray Brewer
Roy Brewer
Herman Brisbon
Gary Brooks
James Dingle
Casey Disher
Reginald Doughthy
David Doyle
Jimmy Doyle
Steve H. Doyle
Edward A. Duelley
Douglas Edwards
David Ellison
William Marvin Ellison
Eric Farr
Terry Anthony Ferguson
Steve Finley
Efrin M. Flores
Kirby Fogle
George Frazier, Jr.
Richard Frazier
Richard Fullman
Glen Gallman
Charles E. Gardner
Herbert German
David Gibson
Tony Gillard
Alex Girdler
Fred A. Golden
Benjamin Gonzales
Henry Goss
Alvin Gray
Gary Grovenstein
William Grubbs
Shannon Gurley
Timothy Hackett
Morris W. Hall, Jr.

Theodore Culp
Matthew Curry
Terry Dacus
Lorenzo Daley
Alvin Davis
Robin Davis
William Deans
Alton Dendy
Allen Derion
Marshall Dicks
David C. Hill
Michael Hill
Mark Hilton
Tracey Hollis
Matthew T. Hollman
Robert L. Howell
Charles Hughes
Terry Isenock
Melvin Isaac
Ronald Ivey
Russell Jackson
Steve Jackson
NFM James
Bonnie James
Alfonzo Jefferson
John M. Jenkins
Tracey Jenkins
Melvin Jerome Jeter
Bernard E. Johnson, III
Dwayne L. Johnson
Jerry Johnson
Ricky Johnson
Terry Johnson
Harvey L. Jones
John L. Jones
Melissa W. Jones
Jeral Joyner
Jamel Kabir
Jesse Key
Alonzo King
Joseph King King
Vernon L. Kinkle
Frank Laney

Donald H. Hallock
Henry Hardy
David R. Harrison
McKinley Harrison
Thomas A. Harrison
Jerome Hart
Darrell Hayes
Dennis Hayes
Lewis Hendrick
Clifton Henry, Jr.
William McAliter
Donald McCloud
Russell McGill
James McMillam
Tracey McMillian
Melvin Mickens
Corneal Milledge
Michael F. Miller
Timothy Mills
Timothy Morton
Herbert Mosely, Jr.
Shariff Mulligan
Curtis Mulloy
Brad Myers
Carol Nevling
Roy Nicholson
Arthur Billy Nix
Danny Nix
Travis O'Neil
Johnny Otiz
Roger Palmer
John Wilbur Parker
Christopher Parley
Jermaine Person
Garith Phillips
Jacok Pickney
Larry Pierce
Archie Porter
John Potts
Melvin Pough
Henry Raford
Jerome Rainey
Henry Calvin Rascoe

Horrace Lathen
Michael Lee
Randy Lester
Phillip Dean Lowe
James Lyons
James Evan Mack
Thomas N. Marshall
Willie J. Martin
Donnie Mathers
Richard Grey Mayson
Henry Robinson
Herbert Robinson
Donald M. Rogers
Charles R. Rollins
Adalid Rubio
Floyd Ramsey
Anthony Russ
Thomas Sanders
Steve Sawyer
Keith Schulty
Arby Scott
Silvester Scott
Wayne Scott
Matthew Sellers
Willie Joe Selph
Titus Sharp
Emiterio Silvano
Christopher Slater
Maurice Smalls
Eric Smiley
Avon Smith
Earl Smith
Eddie M. Smith
Jerome E. Smith
Edward L. Smoak, Jr.
Mark Snipes
Joshua Stewart
George Stockwell
Larry Stokes
Ronnie D. Suggs
Terrell Taylor
Lelmon Jackson Terrell
James Neal Tino

Sa'id Rashid
Burnie Ratliff
John D. Ray
Kevin Ray
Victor Reddick
Samuel Reed
LaDerrick Richardson
Rodney Richardson
Juan Borges Rivera
Leonard Rivera
Mark Wiles
Charles E. Williams
DeWitt Williams
H. Williams
Marion Williams
Leon Woodford

Jimmy Todd
Larry Randall Todd
Timothy Tucker
Michael Varnadoe
Anthony Vuolo
Kevin Washington
Paul W. Washington
Neal K. White
Michael Whitten
Thurston Wideman

It is also noted that during the pendency of this action, the record indicates that several plaintiffs have died. They are listed below:

Tony Brooks
John P. Brown
James E. Ellison
Jake Elmore
Nathan J. Jones
Willie Miller
Harold G. Moss

Accordingly, unless an appropriate party makes a motion under Rule 25 of the Federal Rules of Civil Procedure for substitution as to an above- listed deceased party by February 8, 2008, an Order will be entered dismissing the above deceased parties.

IT IS SO ORDERED.

S/ R. Bryan Harwell
R. Bryan Harwell
U.S. District Judge

Florence, South Carolina
January 3, 2008